

Senator Wiklund from the Committee on Health and Human Services, to which was referred

S.F. No. 3611: A bill for an act relating to health; amending licensing requirements for graduates of foreign medical schools; amending Minnesota Statutes 2022, section 147.037, by adding a subdivision; Minnesota Statutes 2023 Supplement, section 147.037, subdivision 1.

Reports the same back with the recommendation that the bill be amended as follows:

Page 1, delete section 1 and insert:

"Section 1. Minnesota Statutes 2023 Supplement, section 144.99, subdivision 1, is amended to read:

Subdivision 1. **Remedies available.** The provisions of chapters 103I and 157 and sections 115.71 to 115.77; 144.12, subdivision 1, paragraphs (1), (2), (5), (6), (10), (12), (13), (14), and (15); 144.1201 to 144.1204; 144.121; 144.1215; 144.1222; 144.35; 144.381 to 144.385; 144.411 to 144.417; 144.495; 144.71 to 144.74; 144.9501 to 144.9512; 144.97 to 144.98; 144.992; 147.037, subdivision 1b, paragraph (c); 326.70 to 326.785; 327.10 to 327.131; and 327.14 to 327.28 and all rules, orders, stipulation agreements, settlements, compliance agreements, licenses, registrations, certificates, and permits adopted or issued by the department or under any other law now in force or later enacted for the preservation of public health may, in addition to provisions in other statutes, be enforced under this section."

Page 3, line 23, before "has" insert "pursuant to a license or other authorization to practice," and delete everything after "practiced" and insert "medicine, as defined in section 147.081, subdivision 3, clauses (2) to (4), for at least 60 months in the previous ten years"

Page 3, line 24, delete everything before "outside" and after "States" insert ", after completing a residency program or a postgraduate medical training program that is substantially similar to a residency program"

Page 3, line 27, delete "and"

Page 3, line 29, delete the period and insert "; and"

Page 3, after line 29, insert:

"(4) submits two letters of recommendation in support of a limited license, which letters must include one from a physician with whom the applicant previously worked and one from an administrator of the hospital or clinical setting in which the applicant previously worked. The letters of recommendation must attest to the applicant's good medical standing."

Page 4, line 4, after the period, insert "The employer must carry medical malpractice insurance covering a limited license holder for the duration of the employment. The commissioner of health may issue a correction order under section 144.99, subdivision 3, requiring an employer to comply with this paragraph. An employer must not retaliate against or discipline an employee for raising a complaint or pursuing enforcement relating to this paragraph."

Page 4, line 9, delete "1,350" and insert "1,692" and after "hours" insert "per year"

Page 4, line 11, delete "a" and insert "any"

Page 4, after line 11, insert:

"(e) A limited license holder must submit to the board, every six months or upon request, a statement certifying whether the person is still employed as a physician in this state and whether the person has been subjected to professional discipline as a result of the person's practice. The board may suspend or revoke a limited license if a majority of the board determines that the licensee is no longer employed as a physician in this state by an employer. The licensee must be granted an opportunity to be heard prior to the board's determination. A licensee may change employers during the duration of the limited license if the licensee has another offer of employment. In the event that a change of employment occurs, the licensee must still work the amount of hours required under paragraph (d), clause (2), to be eligible for a full and unrestricted license to practice medicine."

Page 4, line 12, delete "(e)" and insert "(f)"

Page 4, line 18, delete "as long as" and insert ", but the limited license holder must have one-on-one practice reviews provided in person or through eye-to-eye electronic media while maintaining visual contact, with each collaborating physician, for at least two hours per month, and"

Page 4, after line 20, insert:

"(g) The board must not grant a license under this section unless the applicant possesses federal immigration status that allows the applicant to practice as a physician in the United States."

Amend the title as follows:

Page 1, line 3, after the semicolon, insert "authorizing the commissioner of health to remedy certain violations by employers of limited license holders; requiring employers of limited license holders to carry medical malpractice insurance; requiring limited license holders to provide periodic certification to the medical board;"

- 3.1
- Amend the title numbers accordingly
- 3.2
- And when so amended the bill do pass and be re-referred to the Committee on State and
- 3.3
- Local Government and Veterans. Amendments adopted. Report adopted.

Melvin H. Wickham

- 3.4
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- 3.5
- (Committee Chair)
- 3.6
- March 5, 2024.....
- 3.7
- (Date of Committee recommendation)